

REMARKS

Claim Amendments

Upon entry of this amendment, Claims 194-198, 200, 202-209, 211-218, 220-234 and 254-277 are pending. Claims 194, 208, 209, 217, 218 and 220-226 are amended herein. Claims 199, 201 and 235-253 have been canceled. Claims 254-277 have been added. Support for these amendments can be found throughout the application as filed. *See e.g.*, paragraphs [0075], [0166] and [0236]. No new matter has been added.

Specification Amendments

Applicants have amended the specification to update the priority of Application Ser. No. 10/179,373 (“the ‘373 application”). Applicants have amended the claim for priority and submitted a petition to accept an unintentionally delayed claim of priority under 35 U.S.C. § 120 in the ‘373 application. Applicants have also amended paragraph [0047] to change “10b” to “10L,” as Figure 10 contains images A-L. Paragraph [0254] was amended to correct an Accession number. No new matter has been added.

Drawings

Applicants submit herewith formal drawings. Applicants believe these formal figures are in compliance with 37 C.F.R. § 1.84. Applicants respectfully request that the Examiner notify Applicants if there are any objections to these formal drawings.

Statement of Substance of Interview Under 37 C.F.R. § 1.133(b)

In accordance with 37 C.F.R. § 1.133(b) and M.P.E.P. § 713.04, Applicants herein provide a summary of the interview. Applicants appreciate the courtesies extended by Examiner Landsman.

During the interview, Examiner Landsman requested that Applicants amend claim 194 to recite that the isolated cell expresses a heteromeric receptor that specifically binds to a ligand that specifically binds to an endogenous (wild-type) human T1R1/T1R3 receptor. Applicants have amended claim 194 herein to reflect this addition.

Applicants representative also indicated that Applicants would identify other co-pending applications that relate to the instant application. Below is a list of these applications:

Application Nos. 10/179,373; 10/725,037; 10/725,076; 10/725,080; 10/725,103; 10/725,418; 10/725,472; 10/725,473; 10/725,475; 10/725,488 and 11/050,804.

Provisional Obviousness-Type Double Patenting

In the Office Action mailed on January 24, 2007, the Examiner provisionally rejected claims 194-209, 211-218 and 220-253 under the judicially created doctrine of obviousness-type double patenting over claims 194-229 of co-pending Application No. 10/725,080 and claims 194-252 of co-pending Application No. 10/725,418 ("the '418 application").

Applicants respectfully disagree and submit that the instant application is patentably distinct from the '418 application. Indeed, the instant application is directed to an isolated recombinant cell, whereas the '418 application is directed to methods for identifying a compound that potentially modulates a receptor. Applicants believe this position is consistent with the restriction requirement set forth in the '373 application. However, if the Examiner disagrees, Applicants respectfully request that he contact either of the undersigned.

Applicants are submitting a terminal disclaimer over Application No. 10/725,080 and the '373 application. These applications contain claims directed to an isolated heteromeric T1R1/T1R3 receptor or an isolated cell that expresses a heteromeric T1R1/T1R3 receptor. Also, for the Examiner's convenience, a listing of all the related co-pending and allowed commonly assigned applications is attached hereto as **Appendix A**.

CONCLUSION

Applicants respectfully request entry and consideration of the above amendments and remarks. If the Examiner has any questions relating to this response or the application in general he is respectfully requested to contact the undersigned so that prosecution of this application may be expedited.

It is believed that no fees are required for entry of this response, but should any fees be necessary, the Commissioner is authorized to charge such fees to the undersigned's **Deposit Account No. 50-0206**.

Respectfully submitted,

HUNTON & WILLIAMS, LLP

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By: 

Robin L. Teskin
Registration No. 35,030

Alexander H. Spiegler
Registration No. 56,625

HUNTON & WILLIAMS LLP
Intellectual Property Department
1900 K Street, N.W. Suite 1200
Washington, DC 20006-1109
(202) 955-1500 (telephone)
(202) 778-2201 (facsimile)

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Appendix A

10/179,373
10/725,037
10/725,076
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